

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: SOCIAL MEDIA ADOLESCENT
ADDICTION/PERSONAL INJURY
PRODUCTS LIABILITY LITIGATION

Case No. 4:22-MD-03047-YGR

MDL No. 3047

This Document Relates to:

[INSERT PLAINTIFF(S) NAME(S)]

Member Case No.:

[INSERT Member Case No. if available]

**MASTER SHORT-FORM COMPLAINT AND
DEMAND FOR JURY TRIAL**

The Plaintiff(s) named below file(s) this *Short-Form Complaint and Demand for Jury Trial* against the Defendants named below by and through the undersigned counsel. Plaintiff(s) incorporate(s) by reference the allegations, claims, and relief sought in *Plaintiffs' Master Complaint (Personal Injury)* ("*Master Complaint*") as it relates to the named Defendants (checked-off below), filed in *In Re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation*, MDL No. 3047 in the United States District Court for the Northern District of California. Plaintiff(s) file(s) this *Short-Form Complaint* as permitted by Case Management Order No. [REDACTED] ("CMO-[REDACTED]").

As necessary herein, Plaintiff(s) may include: (a) additional Causes of Action and/or supporting allegations against Defendants, as set forth in paragraph 4+12 in additional sheets attached hereto; and/or (b) additional claims and allegations against other Defendants not listed in the *Master Complaint*, as set forth in paragraph 7 (see n. 18) and may attach additional sheets hereto. Additionally, certain causes of action in the *Master Complaint* require Plaintiff(s) to allege additional facts, as set forth in paragraph 12.

Plaintiff(s) indicate by checking boxes below the Parties and Causes of Actions specific to Plaintiff(s)' case.

Plaintiff(s), by and through their undersigned counsel, allege as follows:

I. DESIGNATED FORUM¹

1. Identify the Federal District Court in which the Plaintiff(s) would have filed in the absence of direct filing:

 ("Transferee District Court").

II. IDENTIFICATION OF PARTIES

A. PLAINTIFF

2. *Plaintiff*: Name of the individual injured due to use of Defendant(s)' social media products²:

3. Age at time of filing: _____

4. City(ies) and state(s) where Plaintiff primarily used Defendants' platforms:

5. *Guardian Ad Litem*, if applicable: Name of *Guardian Ad Litem*

6. *Consortium Plaintiff(s)*, if applicable: Name of the individual(s) that allege damages for loss of society or consortium and their relationship to Plaintiff:

¹ See Case Management Order _____.

² Unless otherwise specified, Plaintiff shall refer throughout this Short Form Complaint to the individual injured due to personal use of Defendant(s)' social media products.

7. *Survival and/or Wrongful Death Claims, if applicable:*

(a) Name of decedent and state of residence at time of death:

(b) Date of decedent's death:

(c) Name and capacity (*i.e.* executor, administrator, etc.) of Plaintiff(s) bringing claim for decedent's wrongful death:

8. At the time of the filing of this *Short-Form Complaint*, Plaintiff(s) are residents and citizens of [*Indicate State*]:

B. DEFENDANT(S)9. Plaintiff(s) name(s) the following Defendants in this action [*Check all that apply*]:**META ENTITIES**☐ META PLATFORMS, INC., *formerly known as Facebook, Inc.*☐ INSTAGRAM, LLC☐ FACEBOOK PAYMENTS, INC.☐ SICULUS, INC.☐ FACEBOOK OPERATIONS, LLC**SNAP ENTITY**☐ SNAP, INC.**TIKTOK ENTITIES**☐ BYTEDANCE, LTD☐ BYTEDANCE, INC☐ TIKTOK, LTD.☐ TIKTOK, LLC.

☐ TIKTOK, INC.

GOOGLE ENTITIES

☐ GOOGLE, LLC

☐ YOUTUBE, LLC

OTHER DEFENDANTS³

	NAME	CITIZENSHIP
1		
2		
3		
4		
5		
6		
7		

C. PRODUCT USE

10. Plaintiff used the following Social Media Products ~~that~~ and alleges that the following feature(s) or functionality/ies substantially contributed to their injury/ies (check all that apply, and identify approximate dates of use, to the best of Plaintiff's recollection):

☐ FACEBOOK

- Approximate dates of use: _____ to _____

- Features/functionality/ies:

³ For each "Other Defendant"- Plaintiff(s) contend(s) are additional parties and are liable or responsible for Plaintiff(s) damages alleged herein, Plaintiffs must identify by name each Defendant and its citizenship, and Plaintiff(s) must plead the specific facts supporting any claim against each "Other Defendant" in a manner complying with the requirements of the Federal Rules of Civil Procedure. In doing so, Plaintiff(s) may attach additional pages to this *Short-Form Complaint*.

- ☐ Endless scroll
- ☐ The “Like” button
- ☐ Automatic video play
- ☐ Reels
- ☐ Notifications
- ☐ Stories
- ☐ “Keywords” or “Hashtags”
- ☐ Intermittent and Variable Rewards
- ☐ Age verification procedures
- ☐ Parental controls
- ☐ Impediments to discontinuing use
- ☐ “People You May Know”

☐ INSTAGRAM

- Approximate dates of use: _____ to _____

• Features/functionalities:

- ☐ Endless scroll
- ☐ The “Like” button
- ☐ Automatic video play
- ☐ Reels
- ☐ Notifications
- ☐ Stories
- ☐ “Keywords” or “Hashtags”
- ☐ Intermittent and Variable Rewards
- ☐ Age verification procedures
- ☐ Parental controls
- ☐ Impediments to discontinuing use
- ☐ Filters
- ☐ “Suggested for You”
- ☐ “Because You Watched”

☐ SNAPCHAT

- Approximate dates of use: _____ to _____

• Features/functionalities:

☐ Snap Score, Streaks, Trophies, and Charms

☐ Push notifications

☐ Stories

☐ Discover

☐ Spotlight

☐ Snap messages

☐ My Eyes Only

☐ Snap Map

☐ Quick Add

☐ Lenses and Filters

☐ Stamps

☐ Snapcash

☐ Parental controls

☐ Impediments to discontinuing use

☐ Age verification procedures

☐ Voice calls and video calls

☐ TIKTOK

• Approximate dates of use: _____ to _____

• Features/functionalities:

☐ For You Page (FYP)

☐ TikTok Live

☐ TikTok Now

☐ Stories

☐ Direct Messaging

☐ Filters

☐ Duet

☐ Find Friends / People You May Know

☐ “Likes”

☐ Family Pairing

☐ YOUTUBE

• Approximate dates of use: _____ to _____

• Features/functionalities:

☐ Lack of log in requirement

☐ Age controls (or deficiencies therein)

☐ Micro-targeted marketing

☐ Variable rewards (comments, notifications, likes, Super Chat and Super Stickers)

☐ “Up Next” panel

☐ YouTube Shorts

☐ Autoplay

☐ Impediments to discontinuing use

☐ Parental controls (or deficiencies therein)

☐ OTHER:

OTHER SOCIAL MEDIA PRODUCT(S) USED	APPROXIMATE DATES OF USE	<u>FEATURES / FUNCTIONALITIES</u>

D. EXPERIENCE ON PLATFORMS

11. Select any of the following that Plaintiff experienced:

☐ **CYBERBULLYING**, as alleged in, *e.g.*, paragraphs 17, 441, and 500 of the Master Complaint, on the following platform(s):

☐ **BODY IMAGE COMPARISON**, as alleged in, *e.g.*, paragraphs 18, 88, 102, 104–105, 108, 114–115, 219–220, 308–309, 311–312, 316–326 376, 435, 513, 515, 543, 549, 560, 650, 652, 675, 812, and 864(d) of the Master Complaint, on the following platform(s):

☐ **PORTRAYALS OF SELF-HARM**, as alleged in, *e.g.*, paragraphs 107, 278–281, 376, 609–610, 612, 758, 762, 765, 864(c), and 930(f) of the Master Complaint, on the following platform(s):

☐ **VIOLENT EXPERIENCES**, as alleged in, *e.g.*, paragraphs 17, 395, 603, 758, 761, and 930(f) of the Master Complaint, on the following platform(s):

☐ **PROMOTION OF UNHEALTHY EATING HABITS**, as alleged in, *e.g.*, paragraphs 18, 96, 98, 110, 112, 117, 218, 295, 308, 311, 319–320, 384–387, 431, 440–441, 604–610, 612, 675, 761, 765, and 812 of the Master Complaint, on the following platform(s):

☐ **SEXUAL EXPLOITATION OR “SEXTORTION”**, as alleged in, *e.g.*, paragraphs 133–155, 164–165, 182, 392–401, 404–405, 408, 417–418, 425, 429–431, 501, 504, 507, 523–526, 528, 530–534, 541, 543, 547, 550, 654, 657, 662, 665–666, 672, 675, 688, 778, 807, 812, 818, 864(h)–(k), 929(c), and 930(f)–(g) of the Master Complaint, on the following platform(s):

☐ **PROMOTION OF CHALLENGES**, as alleged in, *e.g.*, paragraphs 125–132, 497, 560, 632–637, and 771 of the Master Complaint, on the following platform(s):

☐ **EXPOSURE TO DRUGS**, as alleged in, *e.g.*, paragraphs 384–387, 441, 500, 510, 602, 604, 612, and 761 of the Master Complaint, on the following platform(s):

D.E. PERSONAL INJURY⁴

H.12. Plaintiff(s) experienced the following personal injury/ies alleged to have been caused by Defendant(s)’ Social Media Products:

⁴ Plaintiff(s) must ~~check-off~~ identify all personal injuries allegedly caused by Plaintiff’s use of Defendant(s)’ Social Media Products for which Plaintiff(s) seeks to recover. ~~Plaintiff is not required to plead here emotional or psychological injuries inherent in injuries otherwise identified, or all manifestations of the injury alleged which will be inquired into as part of the Plaintiff’s Fact Sheet (“PFS”). This Short Form Complaint assumes that emotional and psychological injuries are asserted by Plaintiff in connection with any injury otherwise identified.~~

PERSONAL INJURY (CHECK ALL THAT APPLY)

☐ **ADDICTION/COMPULSIVE USE**

☐ **EATING DISORDER**

☐ Anorexia

☐ Bulimia

☐ Binge Eating

☐ Other: _____

☐ **DEPRESSION**

☐ **ANXIETY**

☐ **SELF-HARM**

☐ Suicidality

☐ Attempted Suicide

☐ Death by Suicide

☐ Other Self-Harm: _____

☐ **CHILD SEX ABUSE**

☐ **CSAM VIOLATIONS**

☐ **OTHER ~~PHYSICAL~~PERSONAL INJURIES (SPECIFY):**

13. Have any of Plaintiff's Personal Injuries identified in response to Question 12 been diagnosed by a licensed medical professional?

☐ YES, for the following injury/ies, on the following dates: _____

☐ NO

V. CAUSES OF ACTION ASSERTED

~~12.~~14. The following Causes of Action asserted in the *Master Complaint*, and the allegations with regard thereto, are adopted in this *Short Form Complaint* by reference (*check all that are adopted, and for any Cause of Action requiring Plaintiff-specific allegations as noted below, attach sufficient specific allegations on additional sheets to comply with the requirements of the Federal Rules of Civil Procedure*):

Asserted Against ⁵	Count Number	Cause of Action (CoA)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____ 6	1	STRICT LIABILITY - DESIGN DEFECT
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	2	STRICT LIABILITY - FAILURE TO WARN

⁵ For purposes of this paragraph, "entity" means those defendants identified in Paragraph 7 (e.g., "TikTok entities" means all TikTok defendants against which Plaintiff(s) is asserting claims).

⁶ Reference selected Other Defendants by the corresponding row number in the "Other Defendant(s)" chart above, in Question 7.

Asserted Against ⁵	Count Number	Cause of Action (CoA)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	3	NEGLIGENCE - DESIGN
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	4	NEGLIGENCE – FAILURE TO WARN
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	5	NEGLIGENCE
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	6	NEGLIGENT UNDERTAKING
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	7	VIOLATION OF UNFAIR TRADE PRACTICES/CONSUMER PROTECTION LAWS <i>Identify Applicable State Statute(s):</i> _____ _____ <u><i>Attach a description of any fraudulent or deceptive practices engaged in by each Defendant against whom you allege this claim, and how those practices caused injury</i></u>

Asserted Against ⁵	Count Number	Cause of Action (CoA)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Other Defendant(s) ## _____	8	FRAUDULENT CONCEALMENT AND MISREPRESENTATION (Against Meta only) <u>Attach a description of the particular false statement(s) or omission(s) that Plaintiff claims caused their injuries, when Plaintiff heard the statement(s), how Plaintiff relied on the statement(s) or omission(s), and how reliance on the statement(s) or omission(s) caused injury</u>
<input type="checkbox"/> Meta entities <input type="checkbox"/> Other Defendant(s) ## _____	9	NEGLIGENT CONCEALMENT AND MISREPRESENTATION (Against Meta only) <u>Attach a description of the particular false statement(s) or omission(s) that Plaintiff claims caused their injuries, when Plaintiff heard the statement(s), how Plaintiff relied on the statement(s) or omission(s), and how reliance on the statement(s) or omission(s) caused injury</u>
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	10	NEGLIGENCE <i>PER SE</i>
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	11	VIOLETIONS OF 18 U.S.C. §§ 1595 and 1591 (Civil Remedy for Sex trafficking of children or by force, fraud, or coercion)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	12	VIOLETIONS OF 18 U.S.C. §§ 2255 and 2252 (Civil remedy Certain activities relating to material involving the sexual exploitation of minors)

Asserted Against ⁵	Count Number	Cause of Action (CoA)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	13	VIOLATIONS OF 18 U.S.C. §§ 2252A(f), 1466A (Civil remedy for Certain activities relating to material constituting or containing child pornography)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	14	VIOLATIONS OF 18 U.S.C. §§ 2255 and 2252A(5)(b) (Civil remedy for Certain activities relating to material constituting or containing child pornography)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	15	VIOLATIONS OF 18 U.S.C. §§ 2258B and 2258A (Liability related to Reporting requirements of providers regarding online child sexual exploitation)
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	16	WRONGFUL DEATH
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	17	SURVIVAL ACTION
<input type="checkbox"/> Meta entities <input type="checkbox"/> Snap entity <input type="checkbox"/> TikTok entities <input type="checkbox"/> Google entities <input type="checkbox"/> Other Defendant(s) ## _____	18	LOSS OF CONSORTIUM AND SOCIETY

1 **VI. ADDITIONAL CAUSES OF ACTION**

2 **NOTE**

3 If Plaintiff(s) wants to allege additional Cause(s) of Action other than those selected in
 4 paragraph ~~10~~14, which are the Causes(s) of Action set forth in the *Master Complaint*, the
 5 facts supporting those additional Cause(s) of Action, must be pled in a manner complying
 6 with the requirements of the Federal Rules of Civil Procedure. In doing so, Plaintiff(s) may
 7 attach additional pages to this *Short-Form Complaint*.

8 ~~13-15.~~ Plaintiff(s) assert(s) the following additional Causes of Action and supporting
 9 allegations against the following Defendants:

16 **WHEREFORE**, Plaintiff(s) pray(s) for relief and judgment against Defendants and all
 17 such further relief that this Court deems equitable and just as set forth in the *Master Complaint*, and
 18 any additional relief to which Plaintiff(s) may be entitled.

20 **JURY DEMAND**

21 Plaintiff(s) hereby demand a trial by jury as to all claims in this action.

22 *****

23 By signature below, ~~Plaintiff's~~Plaintiff(s)' counsel hereby certifies that at least one
 24 signatory of this pleading is licensed to practice in the State of California~~confirms their submission~~
 25 ~~to the authority and jurisdiction of the United States District Court for the Northern District of~~
 26 ~~California for oversight of counsel's duties under Federal Rule of Civil Procedure 11, including~~
 27 ~~enforcement as necessary through sanctions and/or revocation of pro hac vice status.~~

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/s/ Signature

Name

Firm

Address

Phone

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Attorneys for Plaintiff(s)